

08-13-01

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Attorney Docket No. 15966-557 (Cura-57)

AUG 10 2001
U.S. PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

APPLICANTS : Shimkets and Prayaga
ASSIGNEE : CuraGen
SERIAL NUMBER : 09/494,585
FILING DATE : January 31, 2000
FOR : Novel Fibroblast Growth Factor and Nucleic Acids Encoding Same

TECH CENTER 1600/2900

EXAMINER : Not Yet Assigned

ART UNIT : 1643

AUG 15 2001
August 10, 2001
Boston, Massachusetts

BOX IDS

Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

- Supplemental Information Disclosure Statement (2 pages), in duplicate;
- Modified Form 1449/PTO (1 pages), in duplicate;
- Copies of cited references C6-C9; and
- Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 542-6000, Boston, Massachusetts.

The Commissioner is authorized to charge any additional fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 15966-557 (Cura-57). A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,


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Cynthia Kozakiewicz, Reg. No. 42,764
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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed below and on the attached modified Form PTO-1449 (submitted in duplicate) in the above-identified application, copies of which are submitted herewith. The order of presentation of the references should not be construed as an indication of the importance of the references.

This Information Disclosure Statement is being filed:

- within three months of the filing date of the National Application;
- within three months of the filing date of the entry of the National Stage, as set forth in 37 C.F.R. §1.491, in an International Application; or
- within three months of the mailing date of the International Search Report;
- before the mailing date of a first Office Action on the merits in the above-identified case.

Accordingly, no fee or certification is required. 37 C.F.R. §1.97

A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached Form PTO-1449 (modified). It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and signs the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

APPLICANTS: Shimkets and Prayaga
U.S.S.N.: 09/494,585

By submitting this Supplemental Information Disclosure Statement, the Applicant makes no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested. Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No.15966-557 (Cura-57).

Respectfully submitted,



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Dated: August 10, 2001

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